

REMARKS

Claims 1-5 have been canceled herein. Such cancellation is without prejudice on the merits to further prosecution of these claims in one or more continuing applications.

Claims 6-23 are newly added. The new claims find support throughout the specification and claims as filed. No new matter is added. Favorable reconsideration is respectfully requested.

A substitute drawing sheet is submitted herewith to correct a discrepancy in the reference numerals. In Fig. 5, and in the text, the float is designated "41." In Figs. 6 and 7 as originally submitted, the float is incorrectly designated as "39." The substitute drawing figure submitted herewith corrects that discrepancy.

Applicant respectfully submits that all of the rejections now of record have been obviated by cancellation of Claims 1-5.

The following comments are submitted solely to clarify the operability issues raised in the Office Action.

In the Office Action, the Examiner noted that it appeared that the claimed invention would not function as stated. This is not the case. The confusion arises over the use of the word "siphon." The Examiner notes correctly that a siphon will not be created without an initial motive force to create a flow of water through the siphon tube. Suction from below, or pressure from above, can both be used to create a siphon. In short, any input of energy that creates a pressure differential between the high-side of the siphon and the low-end of the siphon can serve to create the initial flow of water. Thus, increased pressure on the surface of the water, and/or relative motion of the higher end of a siphon tube (motion that forces water into the high-side of the siphon tube) will provide motive force to start a siphon.

In the present invention, the specification quite clearly indicates that then the handle 23 is depressed, the extension 25 forcibly submerges the open end of the flexible tubing 7 into the water. Note that the extension 25 provides a considerable amount of leverage to the float 41. When the handle 23 is depressed, the float 41,

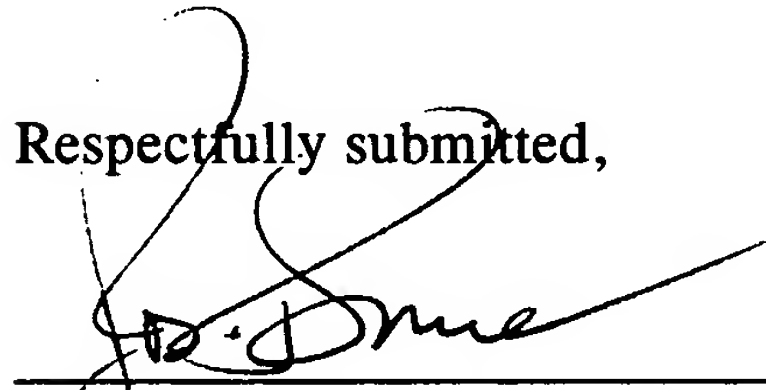
along with the open end of the flexible tubing 7, is thrust into the water with sufficient force to cause an initial flow of water through the tubing 7. This initial flow serves to establish the siphon, which then drains the tank 13. The energy provided by the user depressing the handle 23 thus provides the motive force to initiate the siphon.

For the Examiner's convenience, Applicant submits herewith a VCR tape that shows a working example of the claimed invention. Applicant's undersigned counsel hereby declares that VCR tape submitted herewith was prepared by Peter M. Parker, the named inventor in the present application.

CONCLUSION

Applicants submit that the application is now in condition for allowance. Early notification of such action is earnestly solicited.

Respectfully submitted,



Joseph T. Leone, Reg. No. 37,170
DEWITT ROSS & STEVENS S.C.
8000 Excelsior Drive, Suite 401
Madison, Wisconsin 53717-1914
Telephone: (608) 831-2100
Facsimile: (608) 831-2106